

**HB 1051** - S COMM AMD

By Committee on Early Learning & K-12 Education

OUT OF ORDER 04/10/2007

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the goal of  
4 Washington's education reform is for all students to meet rigorous  
5 academic standards so that they are prepared for success in college,  
6 work, and life. Educators know that not all students learn at the same  
7 rate or in the same way. Some students will take longer to meet the  
8 state's standards for high school graduation. Older students who  
9 cannot graduate with their peers need an appropriate learning  
10 environment and flexible programming that enables them simultaneously  
11 to earn a diploma, work, and pursue other training options. Providing  
12 learning options in locations in addition to high schools will  
13 encourage older students to complete their diplomas. The legislature  
14 further finds that the state's commitment to providing a basic  
15 education for all public school students under the age of twenty-one  
16 should continue until a student earns a diploma. Therefore the  
17 legislature intends to expand high school completion programs at  
18 community and technical colleges for older students who have not yet  
19 received a diploma but are eligible for state basic education support.

20 **Sec. 2.** RCW 28B.50.535 and 1991 c 238 s 58 are each amended to  
21 read as follows:

22 A community or technical college may issue a high school diploma or  
23 certificate, subject to rules (~~and regulations promulgated~~) adopted  
24 by the superintendent of public instruction and the state board of  
25 education.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW  
27 to read as follows:

28 (1) In accordance with this section, each community or technical

1 college shall make available courses or a program of study, on the  
2 college campus or a satellite site, designed to enable students under  
3 the age of twenty-one who have completed all state and local high  
4 school graduation requirements except the certificate of academic  
5 achievement or certificate of individual achievement to complete their  
6 high school education and obtain a high school diploma.

7 (a) Colleges may make courses or programs under this section  
8 available by entering into contracts with local school districts to  
9 deliver the courses or programs. Colleges that offer courses or  
10 programs under contract shall be reimbursed for each enrolled eligible  
11 student as provided in the contract, and the high school diploma shall  
12 be issued by the local school district;

13 (b) Colleges may deliver courses or programs under this section  
14 directly. Colleges that deliver courses or programs directly shall be  
15 reimbursed for each enrolled eligible student as provided in section 4  
16 of this act, and the high school diploma shall be issued by the  
17 college;

18 (c) Colleges may make courses or programs under this section  
19 available through a combination of contracts with local school  
20 districts, collaboration with educational service districts, and direct  
21 service delivery. Colleges may also make courses or programs under  
22 this section available for students at locations in addition to the  
23 college campus but not on a high school campus, except on satellite  
24 sites as provided in this subsection (1); or

25 (d) Colleges may enter into regional partnerships to carry out the  
26 provisions of this subsection (1).

27 (2) Regardless of the service delivery method chosen, colleges  
28 shall ensure that all eligible students have an opportunity to enroll  
29 in a course or program under this section.

30 (3) Colleges shall not require students enrolled under this section  
31 to pay tuition or services and activities fees, however this waiver of  
32 tuition and services and activities fees shall be in effect only for  
33 those courses that lead to a high school diploma.

34 (4) Nothing in this section or section 4 of this act precludes a  
35 community or technical college from offering courses or a program of  
36 study for students other than eligible students as defined by section  
37 4 of this act to obtain a high school diploma, nor is intended to  
38 restrict diploma completion programs offered by school districts or

1 educational service districts. Community and technical colleges and  
2 school districts are encouraged to consult with educational service  
3 districts in the development and delivery of programs and courses  
4 required under this section.

5 (5) Community and technical colleges shall not be required to  
6 administer the Washington assessment of student learning.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.600  
8 RCW to read as follows:

9 (1) For purposes of this section and section 3 of this act,  
10 "eligible student" means a student who has completed all state and  
11 local high school graduation requirements except the certificate of  
12 academic achievement under RCW 28A.655.061 or the certificate of  
13 individual achievement under RCW 28A.155.045, who is less than age  
14 twenty-one as of September 1st of the academic year the student enrolls  
15 at a community and technical college under this section, and who meets  
16 the following criteria:

17 (a) Receives a level 2 (basic) score on the reading and writing  
18 content areas of the high school Washington assessment of student  
19 learning;

20 (b) Has not successfully met state standards on a retake of the  
21 assessment or an alternative assessment;

22 (c) Has participated in assessment remediation; and

23 (d) Receives a recommendation to enroll in courses or a program of  
24 study made available under section 3 of this act from his or her high  
25 school principal.

26 (2) An eligible student may enroll in courses or a program of study  
27 made available by a community or technical college under section 3 of  
28 this act for the purpose of obtaining a high school diploma.

29 (3) For eligible students in courses or programs delivered directly  
30 by the community or technical college under section 3 of this act and  
31 only for enrollment in courses that lead to a high school diploma, the  
32 superintendent of public instruction shall transmit to the college an  
33 amount per each full-time equivalent college student at statewide  
34 uniform rates. The amount shall be the sum of (a), (b), (c), and (d)  
35 of this subsection, as applicable.

36 (a) The superintendent shall separately calculate and allocate  
37 moneys appropriated for basic education under RCW 28A.150.260 for

1 purposes of making payments under this section. The calculations and  
2 allocations shall be based upon the estimated statewide annual average  
3 per full-time equivalent high school student allocations under RCW  
4 28A.150.260, excluding small high school enhancements, and applicable  
5 rules adopted under chapter 34.05 RCW.

6 (b) The superintendent shall allocate an amount equal to the per  
7 funded student state allocation for the learning assistance program  
8 under chapter 28A.165 RCW for each full-time equivalent college student  
9 or a pro rata amount for less than full-time enrollment.

10 (c) The superintendent shall allocate an amount equal to the per  
11 full-time equivalent student allocation for the student achievement  
12 program under RCW 28A.505.210 for each full-time equivalent college  
13 student or a pro rata amount for less than full-time enrollment.

14 (d) For eligible students who meet eligibility criteria for the  
15 state transitional bilingual instruction program under chapter 28A.180  
16 RCW, the superintendent shall allocate an amount equal to the per  
17 student state allocation for the transitional bilingual instruction  
18 program or a pro rata amount for less than full-time enrollment.

19 (4) The superintendent may adopt rules establishing enrollment  
20 reporting, recordkeeping, and accounting requirements necessary to  
21 ensure accountability for the use of basic education, learning  
22 assistance, and transitional bilingual program funds under this  
23 section.

24 (5) All school districts shall provide information about the high  
25 school completion option under section 3 of this act to students in  
26 grades ten, eleven, and twelve and the parents or guardians of those  
27 students.

28 (6) The Washington state institute for public policy shall conduct  
29 a review of the high school completion programs authorized under  
30 section 3 of this act. The institute shall begin the study after July  
31 1, 2010, and report to the superintendent of public instruction, the  
32 state board for community and technical colleges, and the education and  
33 fiscal committees of the legislature by January 1, 2011. At a minimum,  
34 the report shall include the following:

35 (a) The number of students taking part in the high school  
36 completion programs, reported by their high school of last attendance  
37 and the community or technical college that offered the program;

1 (b) The types of high school completion programs offered at each  
2 community or technical college; and

3 (c) The amount of funds spent in support of this effort compared to  
4 actual reimbursement costs that are provided for in subsection (3)(a),  
5 (b), (c), and (d) of this section.

6 **Sec. 5.** RCW 28A.230.120 and 2003 c 234 s 1 are each amended to  
7 read as follows:

8 (1) School districts shall issue diplomas to students signifying  
9 graduation from high school upon the students' satisfactory completion  
10 of all local and state graduation requirements. Districts shall grant  
11 students the option of receiving a final transcript in addition to the  
12 regular diploma. Students who satisfactorily complete all local and  
13 state graduation requirements except the certificate of academic  
14 achievement under RCW 28A.655.061 or the certificate of individual  
15 achievement under RCW 28A.155.045 may participate in high school  
16 graduation ceremonies.

17 (2) School districts or schools of attendance shall establish  
18 policies and procedures to notify senior students of the transcript  
19 option and shall direct students to indicate their decisions in a  
20 timely manner. School districts shall make appropriate provisions to  
21 assure that students who choose to receive a copy of their final  
22 transcript shall receive such transcript after graduation.

23 (3)(a) A school district may issue a high school diploma to a  
24 person who:

25 (i) Is an honorably discharged member of the armed forces of the  
26 United States;

27 (ii) Was scheduled to graduate from high school in the years 1940  
28 through 1955; and

29 (iii) Left high school before graduation to serve in World War II  
30 or the Korean conflict.

31 (b) A school district may issue a diploma to or on behalf of a  
32 person otherwise eligible under (a) of this subsection notwithstanding  
33 the fact that the person holds a high school equivalency certification  
34 or is deceased.

35 (c) The superintendent of public instruction shall adopt a form for  
36 a diploma application to be used by a veteran or a person acting on

1 behalf of a deceased veteran under this subsection (3). The  
2 superintendent of public instruction shall specify what constitutes  
3 acceptable evidence of eligibility for a diploma.

4 **Sec. 6.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to  
5 read as follows:

6 (1) The high school assessment system shall include but need not be  
7 limited to the Washington assessment of student learning, opportunities  
8 for a student to retake the content areas of the assessment in which  
9 the student was not successful, and if approved by the legislature  
10 pursuant to subsection (10) of this section, one or more objective  
11 alternative assessments for a student to demonstrate achievement of  
12 state academic standards. The objective alternative assessments for  
13 each content area shall be comparable in rigor to the skills and  
14 knowledge that the student must demonstrate on the Washington  
15 assessment of student learning for each content area.

16 (2) Subject to the conditions in this section, a certificate of  
17 academic achievement shall be obtained by most students at about the  
18 age of sixteen, and is evidence that the students have successfully met  
19 the state standard in the content areas included in the certificate.  
20 With the exception of students satisfying the provisions of RCW  
21 28A.155.045, acquisition of the certificate is required for graduation  
22 from a public high school but is not the only requirement for  
23 graduation.

24 (3) Beginning with the graduating class of 2008, with the exception  
25 of students satisfying the provisions of RCW 28A.155.045, a student who  
26 meets the state standards on the reading, writing, and mathematics  
27 content areas of the high school Washington assessment of student  
28 learning shall earn a certificate of academic achievement. If a  
29 student does not successfully meet the state standards in one or more  
30 content areas required for the certificate of academic achievement,  
31 then the student may retake the assessment in the content area up to  
32 four times at no cost to the student. If the student successfully  
33 meets the state standards on a retake of the assessment then the  
34 student shall earn a certificate of academic achievement. Once  
35 objective alternative assessments are authorized pursuant to subsection  
36 (10) of this section, a student may use the objective alternative  
37 assessments to demonstrate that the student successfully meets the

1 state standards for that content area if the student has retaken the  
2 Washington assessment of student learning at least once. If the  
3 student successfully meets the state standards on the objective  
4 alternative assessments then the student shall earn a certificate of  
5 academic achievement.

6 (4) Beginning with the graduating class of 2010, a student must  
7 meet the state standards in science in addition to the other content  
8 areas required under subsection (3) of this section on the Washington  
9 assessment of student learning or the objective alternative assessments  
10 in order to earn a certificate of academic achievement.

11 (5) The state board of education may not require the acquisition of  
12 the certificate of academic achievement for students in home-based  
13 instruction under chapter 28A.200 RCW, for students enrolled in private  
14 schools under chapter 28A.195 RCW, or for students satisfying the  
15 provisions of RCW 28A.155.045.

16 (6) A student may retain and use the highest result from each  
17 successfully completed content area of the high school assessment.

18 (7) Beginning in 2006, school districts must make available to  
19 students the following options:

20 (a) To retake the Washington assessment of student learning up to  
21 four times in the content areas in which the student did not meet the  
22 state standards if the student is enrolled in a public school; or

23 (b) To retake the Washington assessment of student learning up to  
24 four times in the content areas in which the student did not meet the  
25 state standards if the student is enrolled in a high school completion  
26 program at a community or technical college. The superintendent of  
27 public instruction and the state board for community and technical  
28 colleges shall jointly identify means by which students in these  
29 programs can be assessed.

30 (8) Students who achieve the standard in a content area of the high  
31 school assessment but who wish to improve their results shall pay for  
32 retaking the assessment, using a uniform cost determined by the  
33 superintendent of public instruction.

34 (9) Subject to available funding, the superintendent shall pilot  
35 opportunities for retaking the high school assessment beginning in the  
36 2004-05 school year. Beginning no later than September 2006,  
37 opportunities to retake the assessment at least twice a year shall be  
38 available to each school district.

1 (10)(a) The office of the superintendent of public instruction  
2 shall develop options for implementing objective alternative  
3 assessments, which may include an appeals process, for students to  
4 demonstrate achievement of the state academic standards. The objective  
5 alternative assessments shall be comparable in rigor to the skills and  
6 knowledge that the student must demonstrate on the Washington  
7 assessment of student learning and be objective in its determination of  
8 student achievement of the state standards. Before any objective  
9 alternative assessments in addition to those authorized in RCW  
10 28A.655.065 or (b) of this subsection are used by a student to  
11 demonstrate that the student has met the state standards in a content  
12 area required to obtain a certificate, the legislature shall formally  
13 approve the use of any objective alternative assessments through the  
14 omnibus appropriations act or by statute or concurrent resolution.

15 (b) A student's score on the mathematics portion of the preliminary  
16 scholastic assessment test (PSAT), the scholastic assessment test  
17 (SAT), or the American college test (ACT) may be used as an objective  
18 alternative assessment under this section for demonstrating that a  
19 student has met or exceeded the mathematics standards for the  
20 certificate of academic achievement. The state board of education  
21 shall identify the scores students must achieve on the mathematics  
22 portion of the PSAT, SAT, or ACT to meet or exceed the state standard  
23 for mathematics. The state board of education shall identify the first  
24 scores by December 1, 2006, and thereafter may increase but not  
25 decrease the scores required for students to meet or exceed the state  
26 standard for mathematics.

27 (11) By December 15, 2004, the house of representatives and senate  
28 education committees shall obtain information and conclusions from  
29 recognized, independent, national assessment experts regarding the  
30 validity and reliability of the high school Washington assessment of  
31 student learning for making individual student high school graduation  
32 determinations.

33 (12) To help assure continued progress in academic achievement as  
34 a foundation for high school graduation and to assure that students are  
35 on track for high school graduation, each school district shall prepare  
36 plans for students as provided in this subsection (12).

37 (a) Student learning plans are required for eighth through twelfth  
38 grade students who were not successful on any or all of the content

1 areas of the Washington assessment for student learning during the  
2 previous school year. The plan shall include the courses,  
3 competencies, and other steps needed to be taken by the student to meet  
4 state academic standards and stay on track for graduation. If  
5 applicable, the plan shall also include the high school completion  
6 option created under section 3 of this act. This requirement shall be  
7 phased in as follows:

8 (i) Beginning no later than the 2004-05 school year ninth grade  
9 students as described in this subsection (12)(a) shall have a plan.

10 (ii) Beginning no later than the 2005-06 school year and every year  
11 thereafter eighth grade students as described in this subsection  
12 (12)(a) shall have a plan.

13 (iii) The parent or guardian shall be notified, preferably through  
14 a parent conference, of the student's results on the Washington  
15 assessment of student learning, actions the school intends to take to  
16 improve the student's skills in any content area in which the student  
17 was unsuccessful, strategies to help them improve their student's  
18 skills, and the content of the student's plan.

19 (iv) Progress made on the student plan shall be reported to the  
20 student's parents or guardian at least annually and adjustments to the  
21 plan made as necessary.

22 (b) Beginning with the 2005-06 school year and every year  
23 thereafter, all fifth grade students who were not successful in one or  
24 more of the content areas of the fourth grade Washington assessment of  
25 student learning shall have a student learning plan.

26 (i) The parent or guardian of a student described in this  
27 subsection (12)(b) shall be notified, preferably through a parent  
28 conference, of the student's results on the Washington assessment of  
29 student learning, actions the school intends to take to improve the  
30 student's skills in any content area in which the student was  
31 unsuccessful, and provide strategies to help them improve their  
32 student's skills.

33 (ii) Progress made on the student plan shall be reported to the  
34 student's parents or guardian at least annually and adjustments to the  
35 plan made as necessary.

36 **Sec. 7.** RCW 28B.15.520 and 1993 sp.s. c 18 s 16 are each amended  
37 to read as follows:

1 Subject to the limitations of RCW 28B.15.910, the governing boards  
2 of the community colleges may:

3 (1) Waive all or a portion of tuition fees and services and  
4 activities fees for:

5 (a) Students nineteen years of age or older who are eligible for  
6 resident tuition and fee rates as defined in RCW 28B.15.012 through  
7 28B.15.015 (~~and~~), who enroll in a course of study or program which  
8 will enable them to finish their high school education and obtain a  
9 high school diploma or certificate, but who are not eligible students  
10 as defined by section 4 of this act; and

11 (b) Children of any law enforcement officer or fire fighter who  
12 lost his or her life or became totally disabled in the line of duty  
13 while employed by any public law enforcement agency or full time or  
14 volunteer fire department in this state: PROVIDED, That such persons  
15 may receive the waiver only if they begin their course of study at a  
16 community college within ten years of their graduation from high  
17 school;

18 (2) Waive all or a portion of the nonresident tuition fees  
19 differential for:

20 (a) Nonresident students enrolled in a community college course of  
21 study or program which will enable them to finish their high school  
22 education and obtain a high school diploma or certificate but who are  
23 not eligible students as defined by section 4 of this act. The waiver  
24 shall be in effect only for those courses which lead to a high school  
25 diploma or certificate; and

26 (b) Up to forty percent of the students enrolled in the regional  
27 education program for deaf students, subject to federal funding of such  
28 program.

29 **Sec. 8.** RCW 28B.15.067 and 2006 c 161 s 6 are each amended to read  
30 as follows:

31 (1) Tuition fees shall be established under the provisions of this  
32 chapter.

33 (2) Beginning with the 2003-04 academic year and ending with the  
34 2008-09 academic year, reductions or increases in full-time tuition  
35 fees for resident undergraduates shall be as provided in the omnibus  
36 appropriations act.

1 (3) Beginning with the 2003-04 academic year and ending with the  
2 2008-09 academic year, the governing boards of the state universities,  
3 the regional universities, The Evergreen State College, and the state  
4 board for community and technical colleges may reduce or increase full-  
5 time tuition fees for all students other than resident undergraduates,  
6 including summer school students and students in other self-supporting  
7 degree programs. Percentage increases in full-time tuition fees may  
8 exceed the fiscal growth factor. Reductions or increases may be made  
9 for all or portions of an institution's programs, campuses, courses, or  
10 students.

11 (4) Academic year tuition for full-time students at the state's  
12 institutions of higher education beginning with 2009-10, other than  
13 summer term, shall be as charged during the 2008-09 academic year  
14 unless different rates are adopted by the legislature.

15 (5) The tuition fees established under this chapter shall not apply  
16 to high school students enrolling in participating institutions of  
17 higher education under RCW 28A.600.300 through 28A.600.400.

18 (6) The tuition fees established under this chapter shall not apply  
19 to eligible students enrolling in a community or technical college  
20 under RCW 28C.04.610.

21 (7) The tuition fees established under this chapter shall not apply  
22 to eligible students enrolling in a community or technical college  
23 under section 3 of this act for the purpose of obtaining a high school  
24 diploma.

25 (8) For the academic years 2003-04 through 2008-09, the University  
26 of Washington shall use an amount equivalent to ten percent of all  
27 revenues received as a result of law school tuition increases beginning  
28 in academic year 2000-01 through academic year 2008-09 to assist needy  
29 low and middle income resident law students.

30 ~~((+8))~~ (9) For the academic years 2003-04 through 2008-09,  
31 institutions of higher education shall use an amount equivalent to ten  
32 percent of all revenues received as a result of graduate academic  
33 school tuition increases beginning in academic year 2003-04 through  
34 academic year 2008-09 to assist needy low and middle-income resident  
35 graduate academic students.

36 NEW SECTION. **Sec. 9.** The office of the superintendent of public

1 instruction and the state board for community and technical colleges  
2 shall:

3 (1) Develop an estimate of the number of students likely to  
4 participate in the programs authorized under this act. The assumptions  
5 shall take into account programs and alternatives offered for fifth-  
6 year seniors by school districts and educational service districts;

7 (2) Identify and analyze possible service delivery models in  
8 addition to those described in section 3 of this act, particularly to  
9 address the challenges faced by community and technical colleges  
10 serving school districts dispersed across large geographic areas and  
11 with limited staffing and facilities resources for the programs; and

12 (3) Submit a report with findings and recommendations to the  
13 education committees of the legislature by December 15, 2007."

**HB 1051** - S COMM AMD

By Committee on Early Learning & K-12 Education

**OUT OF ORDER 04/10/2007**

14 On page 1, line 1 of the title, after "programs;" strike the  
15 remainder of the title and insert "amending RCW 28B.50.535,  
16 28A.230.120, 28A.655.061, 28B.15.520, and 28B.15.067; adding a new  
17 section to chapter 28B.50 RCW; adding a new section to chapter 28A.600  
18 RCW; and creating new sections."

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